



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

**MAY 29 2015**

CERTIFIED MAIL 7014 2870 0000 3318 0301  
RETURN RECEIPT REQUESTED

City of Altamonte Springs  
Attn: Mr. Franklin W. Martz, II  
City Manager  
225 Newburyport Avenue  
Altamonte Springs, Florida 32701

Re: Notice of Violation  
National Pollutant Discharge Elimination System Permit No.: FL0033251  
Altamonte Springs Wastewater Reclamation Facility

Dear Mr. Martz:

On August 28, 2014, the U.S. Environmental Protection Agency Region 4 sent an Information Request Letter (Request) pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318, to the City of Altamonte Springs (the City) requesting information related to Sanitary Sewer Overflows (SSOs) from the City's Wastewater Collection and Transmission System (WCTS). The EPA's review of the City's response to the Request, received by the EPA on October 20, 2014, as well as additional information on building backups submitted by the City on March 27, 2015, has revealed that the City has violated the CWA and requirements of the City's National Pollutant Discharge Elimination System (NPDES) Permit. Specifically, the EPA has determined that the City has violated the CWA and the NPDES Permit as follows:


During the period of May 7, 2010, through May 16, 2014, the City had three (3) SSOs totaling 95,250 gallons of untreated sewage that discharged from the City's WCTS to navigable waters of the United States as defined by Section 502 of the CWA, 33 U.S.C. § 1362. Such SSOs were not authorized by the NPDES Permit and are therefore violations of Section 301(a) of the CWA, 33 U.S.C. § 1311(a). In addition, the City had eight (8) SSOs that were released from the WCTS and that did not reach navigable waters of the United States. All 11 SSOs are indicative of the City's violation of Section IX.7 of the City's NPDES Permit No. FL0033251 which requires the City to properly operate and maintain its facility.

The EPA has decided not to initiate an enforcement action at this time. However, the City's future progress in developing and implementing written Management, Operations, and Maintenance (MOM) programs, continued rehabilitation of the WCTS and progress towards eliminating SSOs will determine if future EPA enforcement actions are warranted. The EPA will monitor the City's progress in developing and implementing MOM programs and WCTS rehabilitation over the next two years.

Until compliance with the CWA is achieved, the City is considered to be in violation of the CWA and subject to enforcement action pursuant to Section 309 of the CWA, 33 U.S.C. § 1319. This Section provides for the issuance of administrative penalty and/or compliance orders and the initiation of civil and/or criminal actions.

If you have any questions regarding this Notice of Violation, please contact Ms. Sara Janovitz, of my staff, at (404) 562-9870 or by email at [janovitz.sara@epa.gov](mailto:janovitz.sara@epa.gov). You may also address written correspondence to Ms. Janovitz at the address on the letterhead.

Sincerely,

  
for James D. Giattina  
Director  
Water Protection Division

cc: Ms. Jessica Kleinfelter  
Florida Department of Environmental Protection

Mr. William Baer  
City of Altamonte Springs

Ms. Jo Ann Jackson  
City of Altamonte Springs